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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 927 OF 2007
IN
FIRST APPEAL (ST) NO. 25754 OF 2005

The State of Maharashtra ... Applicant

V/s

Shri Balaram Ganu Bhoir ... Respondent

Mr. K.K. Tated, A.G.P. for the applicant.

Mr. S.S. Kulkarni for the respondent.

CORAM: S. B. MHASE &
SMT. NISHITA MHATRE, JJ.

DATED: 12TH FEBRUARY, 2007.

P.C.:

1. Heard both sides.

2. The State is directed to deposit the amount as per the award of the Reference Court within a period of 12 weeks with the Trial Court. If the amount is deposited, the learned counsel for the respondent further submits that, he is ready to give bank guarantee of the total amount and, therefore, claims to withdraw. Since the amount is being secured by furnishing a bank guarantee of the nationalised bank, we are also inclined to release the amount. We, therefore, further direct that,

in case the amount is deposited by the State as directed above, the Trial Court shall release the said amount in favour of the respondent after the respondent furnishes to the Trial Court a bank guarantee which will be operative till the final disposal of this appeal and for a period of three months thereafter so as to avail the facility of a further proceeding to the State Government in case the matter goes against the State Government.

3. Civil application disposed of.

(SMT. NISHITA MHATRE, J.) (S.B. MHASE, J.)